

# UNITED STATES DISTRICT COURT DISTRICT OF NEVADA

<input checked="" type="checkbox"/> FILED	<input type="checkbox"/> LODGED
<input type="checkbox"/> RECEIVED	<input type="checkbox"/> COPY
JUL 30 2008	
CLERK U S DISTRICT COURT DISTRICT OF ARIZONA	
BY <u>                    </u> DEPUTY	

UNITED STATES OF AMERICA

v.

**ORDER OF DETENTION PENDING FURTHER HEARING**ANA VALDEZ

Defendant

Case Number: 2:08-mj-0357-PALCR08 590-9-PHX-JAT

In accordance with the Bail Reform Act, 18 U.S.C. § 3142(f), a detention hearing has been held. I conclude that the following facts require the detention of the defendant pending trial in this case.

**Part I - Findings of Fact**

- ☐ (1) The defendant is charged with an offense described in 18 U.S.C. § 3142(f)(1) and has been convicted of a \_\_\_\_\_
- ☐ a crime of violence as defined in 18 U.S.C. § 3156(a)(4).
- ☐ an offense for which the maximum sentence is life imprisonment or death.
- ☐ an offense for which a maximum term of imprisonment of ten years or more is prescribed in \* \_\_\_\_\_
- ☐ a felony that was committed after the defendant had been convicted of two or more prior federal offenses described in 18 U.S.C. § 3142(f)(1)(A)-(C), or comparable state or local offenses.
- ☐ (2) The offense described in finding (1) was committed while the defendant was on release pending trial for a federal, state or local offense.
- ☐ (3) A period of not more than five years has elapsed since the \_\_\_\_\_ for the offense described in finding (1).
- ☐ (4) Finding Nos. (1), (2) and (3) establish a rebuttable presumption that no condition or combination of conditions will reasonably assure the safety of (an) other person(s) and the community. I further find that the defendant has not rebutted this presumption.

**Alternative Findings(A)**

- ☐ (1) There is probable cause to believe that the defendant has committed an offense to which a maximum term of imprisonment of 10 years or more is prescribed in 21 USC § 841.
- ☐ (2) The defendant has not rebutted the presumption established by finding 1 that no condition or combination of conditions will reasonably assure the presence of the defendant and safety of the community.

**Alternative Findings (B)**

- XX (1) There is a serious risk that the defendant will not appear.
- ☐ (2) There is a serious risk that the defendant will endanger the safety of another person or the community.

The defendant is ordered detained as a risk of flight for the following reasons: The defendant did not interview with Pretrial Services and this Court has no information regarding her background, family or community ties, employment history, or any other information that might be used to fashion terms and conditions of release. Further, it is reported that the defendant has used a Social Security number not assigned to her.

**Part II - Written Statement of Reasons for Detention**

The Court finds the Defendant is a flight risk by a preponderance of the evidence that there are no conditions or combination of conditions that could be fashioned that would reasonably assure the appearance of the Defendant.

**Part III - Directions Regarding Detention**

The defendant is committed to the custody of the Attorney General or his designated representative for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. The defendant shall be afforded a reasonable opportunity for private consultation with defense counsel. On order of a court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility shall deliver the defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.

Dated: 06/23/08

  
Signature of Judicial Officer

PEGGY A. LEEN, United States Magistrate Judge  
Name and Title of Judicial Officer

\*Insert as applicable: (a) Controlled Substances Act (21 U.S.C. § 801 *et seq.*); (b) Controlled Substances Import and Export Act (21 U.S.C. § 951 *et seq.*); or (c) Section 1 of Act of Sept. 15, 1980 (21 U.S.C. § 955 a).